

From: Pat Walters
To: Microsoft ATR
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Subject: Microsoft Settlement

I believe this settlement takes unfair advantage of a great corporation for being an aggressive American competitor in the software market.

The very nature of antitrust law is to destroy companies that have harmed consumers, not to make monopolies illegal. This we know already, as there are plenty of legal monopolies that have run our local telephone and electricity.

Every model of a monopoly ever devised by economic theory holds two effects possible: higher cost and less product. This lawsuit was brought against Microsoft over its bundling of Internet Explorer with Windows, and then that Microsoft had set up retaliatory pricing if an Original Equipment manufacturer (OEM) were to sell software that competes with Microsoft on its own operating system. This court case has proven that there was nothing wrong with innovating the operating system to offer more features to customers, but did address the pricing against OEMs that want to offer competitive software to Microsoft. You cannot accuse Microsoft of being a monopoly in consumer level computers without talking about the complete monopoly enjoyed by Apple Computer company. The interesting thing here is this: Apple was argued out of this case because their monopoly operating system on their monopoly hardware cost on average \$1,000 MORE than a comparable IBM compatible PC running Windows! How is Microsoft a monopoly again?

Microsoft has simply been very successful at recruiting wonderful talent from all over the globe, and driving that talent very hard to deliver products that make our competition look pale in comparison. It is not Microsoft's fault that companies who compete with them cannot achieve the critical mass of great software by litigating against Microsoft, instead of recruiting great talent and then spending the R&D money necessary to better perfect their product. Why should Microsoft have its hands and legs tied behind its back simply because every one of its competitors wants the money that Microsoft has earned? Let me ask that again: WHY should Microsoft not be allowed to freely compete with all of the freedoms that Netscape, AOL Time Warner, Sun Microsystems, Oracle, and Apple do every single day of the year, simply because THESE companies want the money from the market share that Microsoft continues to go out and earn?

Microsoft has agreed to this settlement, but this settlement should be the end of it. The states that chose not to settle with Microsoft simply want to punish Microsoft further than they already have been with this FRIVOLOUS lawsuit, and they should NOT be rewarded for this. In some cases, like California, they simply have Microsoft competitors living in their state and want to put up the "good fight," for their constituents. The economy of the

United States is greatly fueled by the technology sector, and it is time to let Microsoft go on to do what it does best: make great software that runs on any device, anywhere, connected to the Internet. Microsoft has undeniably been part of the economic boom we saw in the 1990's, and this case has been part of the reason we are now suffering part of a recession. Let's end this here with this settlement, and accept the terms of it with as much compassion as possible toward the greatest company in the world.

Sincerely,

Pat Walters

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